

ORDINANCE NO. 49-809

AN ORDINANCE OF THE CITY OF WICHITA, KANSAS, PROVIDING FOR THE CALLING OF A SPECIAL QUESTION ELECTION FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS OF THE CITY OF WICHITA THE QUESTION RELATING TO THE IMPOSITION OF A ONE PERCENT (1.0%) CITY-WIDE RETAILERS' SALES TAX , PROVIDING FOR THE CALLING OF SUCH ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, AND PROVIDING FOR THE GIVING OF NOTICE OF SAID ELECTION.

WHEREAS, K.S.A. 12-187 *et seq.* (the "Act") authorizes the governing body of the City of Wichita (the "Governing Body") to submit to the electors of the City of Wichita the question of imposing a city-wide retailers' sales tax; and

WHEREAS, the Governing Body deems it advisable to authorize and provide for the calling of a special question election in the city for the purpose of submitting to the qualified electors of the city the question of imposing a special one percent (1.0%) city-wide retailers' sales tax to take effect April 1, 2015, and which will terminate no later than April 1, 2020. Such revenue shall be utilized for the purchase, development, maintenance and operation of a long-term water supply, job development and creation, Wichita Transit operations, and street maintenance and repairs;

WHEREAS, in order to authorize such city-wide retailers' sales tax, it is deemed advisable to call for a special question election in the city to be held on Tuesday, November 4, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. **Public Purpose.** It is hereby deemed necessary and in the best interests of the citizens of the city to assist with the financing of certain municipal operations including the financing of the costs associated with the purchase, development, maintenance and operation of a

long-term water supply, job development and creation, Wichita Transit operations, and street maintenance and repairs and that a special question election be called.

**SECTION 2. City-wide Sales Tax.** In order to support the financing of the public services set forth in Section 1, and in order to provide funds for these services, it is necessary and advisable pursuant to the authority of the Act to institute the city-wide retailers' sales tax. Collection of the city-wide retailers' sales tax, if approved by the electors of the city, shall commence on April 1, 2015, and which will terminate no later than April 1, 2020. The implementation of the city-wide retailers' sales tax shall not be effective unless a majority of the qualified electors of the city voting on such proposition shall vote in favor thereof at a special question election to be held in the city for that purpose.

**SECTION 3. Special Question Election.** It is hereby authorized, ordered and directed that a special question election shall be and is hereby called to be held in the city on November 4, 2014, at which time there shall be submitted to the qualified electors of the city the following proposition:

**PROPOSITION NO. 1 – CITY-WIDE RETAILERS' SALES TAX**

Shall the following be adopted?

Shall the City of Wichita, Kansas, be authorized, pursuant to K.S.A. 12-187 *et seq.*, to impose a one percent (1.0%) city-wide retailers' sales tax to be effective April 1, 2015, and which will terminate no later than April 1, 2020, with an amount not to exceed \$250 million dollars of such tax applied to pay the costs for the purchase, development, maintenance and operation of a long-term water supply, with an amount not to exceed \$80 million dollars of such tax applied for job development and creation, with an amount not to exceed \$39.8 million dollars of such tax applied to support Wichita Transit

operations, and with an amount not to exceed \$27.8 million dollars of such tax applied for street maintenance and repairs?

**SECTION 4. Special Question Election Procedures.**

The votes at said special question election shall be by ballot, and the proposition stated above shall be printed on the ballots, together with voting instructions as provided by law. The City Clerk shall cause the Sedgwick County Election Commissioner to give notice, of the election as provided by law by publishing a Notice of Special Question Election, in substantially the form attached here to as Exhibit A, once each week for two (2) consecutive weeks in *The Wichita Eagle*, with the first publication to be not less than twenty-one (21) days prior to the date of the special question election, and the last publication being not more than forty-five (45) days prior to the date of the special question election. The Notice of Special Question Election shall be submitted to the Sedgwick County Election Commissioner no later than August 15, 2014, for such publications.

**SECTION 5. Effective Date.** This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City of Wichita, Kansas, and publication once in the official newspaper of the City.

PASSED by the governing body of the City of Wichita, Kansas, this 12th day of August, 2014.

CITY OF WICHITA, KANSAS

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Sharon L. Dickgrafe  
Interim Director of Law and City Attorney

NOTICE OF SPECIAL QUESTION ELECTION

TO ALL THE QUALIFIED ELECTORS  
OF THE CITY OF WICHITA, KANSAS:

Notice is hereby given by the Governing Body of the City of Wichita, Kansas, and the Sedgwick County Election Commissioner that there will be a special question election in the City of Wichita, Kansas (the "City") on the 4th day of November, 2014, for the purpose of voting on the question of levying a city retailers' sales tax in the amount of one percent (1.0%) on retail sales consummated within the City, for the special purpose of funding the costs associated with purchasing, developing, maintaining and operating a long-term water supply, job development and creation, Wichita Transit operations, and street maintenance and repairs. The tax will take effect on April 1, 2015 and end no later than April 1, 2020. The tax will be collected by the State Department of Revenue, and the revenue there from returned to the City.

The proposition shall appear on the ballot as follows:

PROPOSITION NO. 1 – CITY-WIDE RETAILERS' SALES TAX

Shall the following be adopted?

Shall the City of Wichita, Kansas, be authorized, pursuant to K.S.A. 12-187 *et seq.*, to impose a one percent (1.0%) city-wide retailers' sales tax to be effective April 1, 2015, and which will terminate no later than April 1, 2020, with an amount not to exceed \$250 million dollars of such tax applied to pay the costs for the purchase, development, maintenance and operation of a long-term water supply, with an amount not to exceed \$80 million dollars of such tax applied for job development and creation, with an amount not to exceed \$39.8 million dollars of such tax applied to support Wichita Transit operations, and with an amount not to exceed \$27.8 million dollars of such tax applied for street maintenance and repairs?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Sedgwick County Election Commissioner